

REMARKS

In the Office Action, claims 1-4, 6, 7, 9, 10, 12-14, 18 and 19 were rejected as anticipated by U.S. Patent No. 6,994,092 to Van der Burg et al. Claim 5 was rejected as obvious over van der Burg in view of WO 99/25252 to Bosma et al.

Claims 8, 11, 15-17, and 20 were indicated as being allowable if rewritten to include all the limitations of the base claim and any intervening claims. Claim 18 has been amended to include the limitations of claims 18 and 19 and therefore is now allowable.

The courtesy extended by Examiner Jessica Baxter in the telephone conversation with the undersigned on March 27, 2006 is acknowledged with appreciation. During the telephone conversation independent claim 1 was discussed, as well as the Van der Burg reference. The endpoints of the mounting section and converging regions, as exemplified by V1 and V2 of Figure 5, were also discussed.

Turning first to claim 1, this claim now recites inter alia the first converging region is positioned radially and axially inwardly of the first end of the mounting section and the second converging region is positioned radially and axially inwardly of the second end of the mounting section such that the first and second converging regions are a closer axial distance to the center point than the ends of the mounting section and a proximalmost end point of the first mounting section is proximal of a proximalmost end point of the first converging region and a distalmost end point of the mounting section is distal of a distalmost end point of the second converging region. In the van der Burg patent, in the figure illustrated in the Examiner's Office Action, the distalmost and proximalmost end points of what the Examiner has labeled the "mounting section" are not distal and proximal to the respective end points of the "converging regions" labeled by the Examiner. The structure of claim 1 directs particles to the center. Note also, that van der Burg's device is an occluding member, not a filter.

In view of the foregoing, withdrawal of the rejection of claim 1 as anticipated by Van der burg is respectfully requested. Claims 2-9 and 11 depend from claim 1 and are therefore believed patentable for at least the same reasons that claim 1 is patentable. (Claim 10 was previously canceled). Further, with respect to dependent claim 5, Bosma does not cure the deficiencies of Van der Burg.

Turning now to claim 12, this claim recites inter alia that the struts extend from the first end point and from the second end point radially inwardly towards the center point of the filter to form first and second filtering sections, wherein the first filtering section has a proximalmost end point and the second filtering section has a distalmost end point. The claim further recites that the filtering sections are each positioned a closer axial distance to the center point of the filter than the first and second ends of the mounting section such that the proximalmost end point of the mounting section is proximal of the proximalmost end point of the filtering section and the distalmost end point of the mounting section is distal of the distalmost end point of the filtering section. As explained above with respect to claim 1, the Van de Burg occluding device has the opposite structure. Consequently, withdrawal of the rejection of claim 12 is respectfully requested.

Claims 13-17 depend from claim 1 and are therefore believed patentable for at least the same reasons that claim 12 is patentable. Applicants respectfully submit that this application is now in condition for allowance. Prompt and favorable reconsideration of the present application is respectfully requested. The Examiner is invited to contact the undersigned should the Examiner believe it would expedite prosecution.

Respectfully submitted,

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